

## REMARKS

### INTRODUCTION:

In accordance with the foregoing, claims 1, 11 and 20 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-4, 6-13, 15-20 and 22-24 are pending and under consideration. Reconsideration is respectfully requested.

### REJECTION UNDER 35 U.S.C. § 103:

In the Office Action, starting at page 2, numbered paragraph 2, claims 1-4, 6-13, 15-20 and 22-24 were rejected under 35 U.S.C. § 103(a) in view of Reilly et al. ( U.S. Patent Application Publication 2002/0026349) and Theimer et al. (U.S. Patent 5,493,692). The rejection is traversed and reconsideration is requested.

Claim 1 recites "conducting summarization processing of the distribution information" (lines 16-17) and subsequently "giving the distribution information, after processing by the summarization processing part to the sending/receiving control part to distribute the distribution information to the receiving apparatus" (lines 19-21). Furthermore, claim 1 recites "upon receiving the distribution information" (last line), the distribution rank is updated "based on an input distribution rank which a receiver inputs by selection on the rank setting screen regarding the distribution information" (last three lines).

In contrast, as taught by Reilly et al. in FIG. 5, the "category manager profile procedure generates a category profile data structure 202B that represents the subcategories of interest to the subscriber as well as any associated filters that have been defined" in paragraph [0072]. While it may be reasonable to assume the "category profile data structure" of Reilly et al. is stored locally, nothing has been cited to suggest that the "category profile data structure" is transmitted back to a server or sent from the server to a client computer.

Furthermore, in FIG. 6 of Reilly et al., headlines of news articles are shown as a screen saver during a client computer's inactivity. After the client computer exits the screen saver mode:

[e]ach news item [is] displayed in the center section 248 of the data viewer's display [and] includes both the primary and secondary portions of the news item, thereby providing the subscriber in most instances with access to a fuller version of the news item than was shown by the screen saver

(paragraph [0093]). Consequently, there is no relationship between the degree of summarization described in FIG. 5 of Reilly et al. and the display of summarized data described in FIG. 6. Rather than use the user's selection of components in FIG. 5 to summarize the data shown in FIG. 6, the of summarization of data, and change thereof, shown in FIG. 6 is based simply on a change in screen saver mode.

Finally, Reilly et al. does not clearly describe when the action illustrated by FIG. 5 occurs. As described in paragraph [0073], "the category manager includes a profiler procedure for defining the subscriber's interests in receiving news". While not explicit, paragraph [0073] suggests that the category manager filters news *received by the client*, and hence the processing occurs on the client side. Since Reilly et al. is silent with respect when the content manager filters incoming news, Reilly et al. nevertheless does not describe "conducting summarization processing of the distribution information" and subsequently "giving the distribution information after the summarization processing to the sending/receiving control part to distribute the distribution information to the receiving apparatus" as recited in claim 1.

In addition, nothing has been cited in Theimer et al. that cures the deficiencies of Reilly et al. discussed above. Therefore, it is submitted that claim 1, as well as claims 2-4 and 6-10, which depends therefrom are patentably distinguishable over Reilly et al. and Theimer et al.

Claims 11 and 20 each recite:

giving the distribution information after summarizing the distribution information to a sending/receiving control part to distribute the distribution information to the receiving apparatus, wherein

screen definition information of a rank setting screen displayed by a receiving apparatus allowing a receiver to input the distribution rank by selection or access information to the rank setting screen are added to each distribution information

updating the distribution rank stored in the distribution rank storage part, based on a distribution rank which a receiver inputs by selection on the rank setting screen regarding the distribution information upon receiving the distribution information

(e.g., claim 11, lines 15-26). For the reasons discussed above for claim 1, it is submitted that claims 11 and 20 as well as claims 12, 13, 15-19 and 22-24, which depend therefrom, are patentably distinguishable over Reilly et al. and Theimer et al.

**REQUEST FOR INTERVIEW:**

The Examiner is respectfully requested to contact the undersigned to arrange an Interview, if the rejection is not withdrawn or modified to add a reference that teaches what is missing from Reilly et al. In addition, the Examiner is requested to make this contact with the undersigned before preparing the next Office Action to allow time for a Supplemental Amendment to be filed.

**CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.


Serial No.: 09/866,680

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: February 11, 2008

By:   
David E. Moore  
Registration No. 59,047

1201 New York Avenue, N.W.  
Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501